

ADDENDUM TO PLANNING PROPOSAL – TUNCURRY SUPERMARKET SITE

CONSISTENCY WITH RELEVANT S117 MINISTERIAL DIRECTIONS

Section 117 Directions that are particularly relevant to the above planning proposal are outlined in the table below:

Direction	Comment on consistency
1.1 Business and Industrial Zones	<u>CONSISTENT</u> – planning proposal is consistent with the objectives and relevant requirements of this direction.
2.2 Coastal Protection	<u>CONSISTENT</u> with the strategic directions contained in the NSW Coastal Policy and with the Coastal Design Guidelines' objectives in 2.1 <i>Defining the Footprint and Boundary</i>, namely; - maximise the use of existing services and infrastructure; and - revitalise existing urban centres by concentrating new development to support them.
3.1 Residential Zones	<u>INCONSISTENT</u> with this direction insofar as the planning proposal aims to rezone land within the existing 2(b) <i>Medium Density Residential Zone</i> to 3(a) <i>General Business Zone</i>. Council requests approval of the Director-General for this justifiable inconsistency on the following grounds: - The proposal accords with opportunities for the Tuncurry commercial centre as identified in the <i>Forster Tuncurry Employment Land Implementation Strategy (2009)</i>, a key strategic document to inform council's local growth management strategy. - The impact of the planning proposal on the adjoining residential zone is of minor significance. - With exception of objective 1(b), the housing objectives and planning principles of this direction have limited application to the commercial outcomes of the planning proposal.
3.4 Integrating Land Use and Transport	<u>CONSISTENT</u> with the relevant planning objectives and principles of this trip-generating development direction.

Direction	Comment on consistency
4.3 Flood Prone Land	INCONSISTENT with this direction insofar as it proposes to rezone flood prone land from 5(a) <i>Special Use (Car park)</i> to 3(a) <i>General Business</i>. Council requests approval of the Director-General for this justifiable inconsistency on the following grounds: • The provisions of the planning proposal that are inconsistent are of minor significance (ie. subject site is affected by flooding only to a minor extent and the effects of any landform modification are not expected to extend beyond the boundaries of the nominated site. • The site is bound by Council roads and land nominated for car parking and the one adjoining residential property is not expected to be affected. • More detailed studies shall be undertaken during the preparation of a concurrent development application to establish the required extent of filling and to ensure the development is undertaken in accordance with this direction i.e. <i>Flood Plain Development Manual</i> (2005).
5.1 Implementation of Regional Strategies	CONSISTENT with this direction as it assists in implementing the Mid North Coast Regional Strategy (refer to section B(4) of planning proposal). Importantly, the proposal is consistent with the following principles: - It will avoid fragmentation and out-of-town centre retailing in order to maintain a compact and viable commercial/retail centre in Tuncurry. - Accords with opportunities for the Tuncurry commercial centre as identified in the <i>Forster Tuncurry Employment Land Implementation Strategy (2009)</i>, a key strategic document to inform council's local growth management strategy. - The large supermarket development facilitated by the proposed rezoning will be located within the boundaries of the Tuncurry town centre, thus reinforcing the commercial/retail role that the centre will play in Tuncurry's future growth.

NOTE: Concurrent with the Department's determination of this planning proposal, Council is seeking the Director-General's approval of the proposal's inconsistency with S117 Direction 3.1 – Residential Zones and Direction 4.3 – Flood Prone Land (based on the justification provided in the above table).